

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA,  
*Plaintiff,*

§ § § § § § § § § §

Cause No. 4:18-cr-575

JACK STEPHEN PURSLEY,

§ § § §

*Defendant.*

**DEFENDANT'S MOTION IN LIMINE TO EXCLUDE GULF STATES  
MANAGEMENT CORPORATION TRANSFERS**

Defendant Jack Stephen Pursley (“Pursley”) files this Motion in Limine to exclude any testimony or argument related to the transfers totaling \$900,000 from Diversified Land Holdings (“DLH”) and Gulf States Management Corporation (“GSMC”) between 2007 and 2008. In support of his Motion, Pursley states the following:

The Indictment references a total of \$900,000 moving between Diversified Land Holdings (“DLH”) and Gulf States Management Corporation (“GSMC”). The dispute is whether the transfer of this \$900,000 total—occurring between 2007 and 2008—was the result of a legitimate stock transaction or a sham. The \$900,000 transfer, however, is not indicted as Tax Evasion. The Government argues that the \$900,000 transfer is relevant to the Conspiracy charge. But that argument is belied by the Government’s failure to indict this transfer as Tax Evasion. Thus, the \$900,000 transfer should be excluded from testimony, evidence and argument under Rule 402; but more importantly under Rule 403. The failure to indict the \$900,000 transfer as Tax Evasion shows that it is marginally relevant to the overall “Conspiracy” scheme. In other words, the

Government can prove its Conspiracy scheme without the transfers they *chose not to independently indict* as Tax Evasion. Under Rule 403, the marginal relevance of this evidence is substantially outweighed by confusing the issues, misleading the jury, undue delay, wasting time, and needlessly presenting cumulative evidence.

For the foregoing reasons, Pursley requests the Court exclude testimony, evidence, and argument relating to these transactions from evidence and award all other appropriate relief.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on August 12, 2019, a copy of this document was served on all counsel of record through filing on the ECF System.

*/s/ Victor D. Vital*  
Victor D. Vital

DMS 14941522v1